

BRONSON LAW OFFICES, P.C.
H. Bruce Bronson
480 Mamaroneck Ave.
Harrison, NY 10528
914-269-2530 (Tel.)
888-908-6906 (Fax)
hbbronson@bronsonlaw.net

*Proposed Counsel to Debtor
and Debtor-in-Possession*

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

-----X

In re:

ROY L. ALBERS,

Debtor.

-----X

Chapter 11

Case No.:25-22529 (SHL)

DEBTOR'S DECLARATION PURSUANT TO LOCAL BANKRUPTCY RULE 1007-2

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

I, ROY ALBERS, declare as follows:

1. I am an individual debtor and I submit this application in accordance with Local Bankruptcy Rule 1007-2 of the Local Rules for the United States Bankruptcy Court for the Southern District of New York.
2. I filed a bankruptcy petition (the "**Petition**") under chapter 11 of the bankruptcy code on June 16, 2025.
3. My bankruptcy was precipitated by a foreclosure action against my residence at 11 Flanders Ln, Cortlandt Manor, NY 10567 ("**Residence**"). The foreclosure action was brought in the Supreme Court of Westchester County captioned *Manufacturers and Traders Trust Company also Known as M&T Bank successor by merger to Hudson*

*City Savings Bank, FSB, Plaintiff AGAINST Roy Albers a/k/a Roy Albers, Jr. a/k/a Roy L. Albers; Robyn Deutsch a/k/a Robyn E. Deutsch; et al., Defendant(s), index no. 64399/2018 (the “**Foreclosure Action**”).*

4. I own my Residence with my wife as Tenants by the Entirety and we live at the Residence with our family.
5. I was denied a loan modification even though I have significant income and therefore if I cannot obtain a modification in this chapter 11, I am going to propose a plan of reorganization that will pay my mortgage at the contract rate in accordance with the note and mortgage and repay the arrears over the balance of the term of the note and mortgage.

BACKGROUND

6. I desire to utilize the chapter 11 bankruptcy process in order to restructure and reorganize my affairs and property. I intend to file a chapter 11 plan that will provide for repayment of the loan from the Secured Lender as follows: (a) payment at the contract rate estimated to be **\$9,658.78** per month which includes taxes and insurance; (b) monthly payments over a number of years to repay the arrears to be paid from the Effective Date of a plan until February 2035, in equal monthly payments, estimated to be approximately \$3,471.41 per month (the “**Arrears Payment**”). The Arrears Payment will include interest on the arrears to the extent that the arrears consist of principal, escrow or advances (no interest on interest).
7. The needs and interests of my creditors and myself will best be served by my continued possession of my Residence and management of my affairs as debtor-in-possession under chapter 11 until confirmation of a reorganization plan.

8. I will begin to make the regular mortgage payments within 30 days of the filing of the bankruptcy. Upon confirmation I will make the full payment of approximately \$13,130.19.

INFORMATION REQUIRED BY LOCAL BANKRUPTCY RULE 1007

In addition to the foregoing, Local Bankruptcy Rule 1007-2 requires certain information related to the Debtor, which is set forth below.

Local Rule 1007-2(a)(1)

9. I currently reside at 11 Flanders Ln, Cortlandt Manor, NY 10567, with my wife and our children. The circumstances leading to my filing of bankruptcy were related to loss of income several years ago which I have now recovered from.

Local Rule 1007-2(a)(2)

10. This case was not commenced under any other chapter of the bankruptcy code.

Local Rule 1007-2(a)(3)

11. No formal or informal committees of creditors or other interest holders has been organized prior to the order for relief in this Chapter 11 case.

Local Rule 1007-(2)(a)(4)

12. The names and addresses of the twenty (20) largest unsecured creditors excluding those creditors who (i) would not be entitled to vote at a creditors' meeting under 11 U.S.C Section 702; (ii) such creditors who were employees of the Debtor at the time of the filing of the petition for reorganization; and (iii) creditors who are insiders as that term is defined in 11 U.S.C. Section 101(31) are annexed hereto as **Exhibit "A"**.

Local Rule 1007-(2)(a)(5)

13. A list of the names and addresses of the five largest **secured** creditors is annexed hereto as **Exhibit "B"**.

Local Rule 1007-(2)(a)(6)

14. As required by Local Bankruptcy Rule 1007-2(a) (6), a summary of assets and liabilities is as set forth on **Exhibit "C"** attached hereto.

Local Rule 1007-(2)(a)(7)

15. Being an individual, there are no publicly held securities.

Local Rule 1007-(2)(a)(8)

16. None of my property is in the possession or custody of any custodian, public officer, mortgagee, pledgee, assignee of rents, or secured creditor, or agent for any such entity.

Local Rule 1007-(2)(a)(9)

17. This provision does not apply to me.

Local Rule 1007-(2)(a)(10)

18. My assets are primarily located at my Residence 11 Flanders Ln, Cortlandt Manor, New York 10567.

Local Rule 1007-(2)(a)(11)

19. There is one pending action against me which is a foreclosure action which is set forth above.

Local Rule 1007-(2)(a)(12)

20. As I am an individual there are no individuals comprising senior management.

Local Rule 1007-(2)(b)(1) and (2)

21. There is no monthly payroll.

Local Rule 1007-(2)(b)(3)

22. The estimated schedule of cash receipts and disbursements for the thirty (30) day period following the filing of the Chapter 11 petition, net cash gain or loss, obligations and receivables expected to accrue but remaining unpaid, other than professional fees is as set forth in **Schedules I and J** of my petition which is attached hereto as **Exhibit "D"**.

Pursuant to 28 U.S.C section 1746, I declare under the penalty of perjury that the foregoing is true and correct.

Dated: June 13, 2025

Roy L. Albers
Roy L. Albers

EXHIBIT A

List of Unsecured Creditors

As set forth in the petition schedule E/F which is attached.

☐ Check if this is an amended filing

B 104

For Individual Chapter 11 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders

12/15

If you are an individual filing for bankruptcy under Chapter 11, you must fill out this form. If you are filing under Chapter 7, Chapter 12, or Chapter 13, do not fill out this form. Do not include claims by anyone who is an insider. Insiders include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20 percent or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Also, do not include claims by secured creditors unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information.

Part 1: List the 20 Unsecured Claims in Order from Largest to Smallest. Do Not Include Claims by Insiders.

Unsecured claim

<div style="background-color: black; color: white; padding: 2px; text-align: center; width: 30px; float: left;">1</div> <div style="clear: both;"></div> <p>Daniel Williams 410 Trump Park Shrub Oak, NY 10588-1212</p>	<p>What is the nature of the claim? <u>Loan</u></p> <p>As of the date you file, the claim is: Check all that apply</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p><input checked="" type="checkbox"/> None of the above apply</p>	<p><u>\$7,500.00</u></p>
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2	<p>MOHELA 633 Spirit Dr Chesterfield, MO 63005-1243</p>	<p>What is the nature of the claim? _____ \$15,000.00</p> <p>As of the date you file, the claim is: Check all that apply</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p><input checked="" type="checkbox"/> None of the above apply</p> <p>Does the creditor have a lien on your property?</p> <p><input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Total claim (secured and unsecured) _____</p> <p>Value of security: _____</p> <p>Unsecured claim _____</p>
	<p>_____</p> <p>Contact _____</p> <p>Contact phone _____</p>	

Debtor 1 Roy L. Albers Case number (if known) _____

Part 2: Sign Below

Under penalty of perjury, I declare that the information provided in this form is true and correct.

X /s/ Roy L. Albers X _____
Roy L. Albers Signature of Debtor 2
Signature of Debtor 1

Date June 16, 2025

Date _____

EXHIBIT B

List of Five Largest Secured Creditors

See attached **Exhibit D**

Fill in this information to identify your case:

Debtor 1	<u>Roy L. Albers</u>		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse If, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>SOUTHERN DISTRICT OF NEW YORK</u>		
Case number (if known)			

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

	Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion if any
2.1 Bank of America Creditor's Name PO Box 31785 Tampa, FL 33631-3785 Number, Street, City, State & Zip Code	Describe the property that secures the claim: <u>11 Flanders Ln, Cortlandt Manor, NY 10567-7030</u> <u>Westchester County</u> As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input checked="" type="checkbox"/> Disputed Nature of lien. Check all that apply. <input checked="" type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input type="checkbox"/> Other (including a right to offset)	\$959,605.00	\$1,254,529.00
		\$0.00	

Who owes the debt? Check one.
☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Date debt was incurred _____ Last 4 digits of account number 4048

Add the dollar value of your entries in Column A on this page. Write that number here:

If this is the last page of your form, add the dollar value totals from all pages.
 Write that number here:

\$959,605.00

\$959,605.00

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

[] Name, Number, Street, City, State & Zip Code Bank of America 4909 Savarese Circle Tampa, FL 33634	On which line in Part 1 did you enter the creditor? <u>2.1</u> Last 4 digits of account number _____
[] Name, Number, Street, City, State & Zip Code New Rez LLC d/b/a Shellpoint Mortgage PO Box 10826 Greenville, SC 29603	On which line in Part 1 did you enter the creditor? <u>2.1</u> Last 4 digits of account number <u>4681</u>

EXHIBIT C

Summary of Assets and Liabilities

EXHIBIT C

Summary of Assets and Liabilities

Roy L. Albers	6/16/2025
25-22529	
Assets	
Real Property	
	\$ 627,274.00
Personal Property	
	\$ 146,505.00
	\$ 773,779.00
Liabilities	
Secured (1/2)	\$ 479,802.00
Unsecured	\$ 22,500.00
	\$ 502,302.00
Net	\$ 271,477.00

EXHIBIT D

See attached exhibits I and J from the Debtor's petition.

Fill in this information to identify your case:

Debtor 1 Roy L. Albers
Debtor 2 _____
(Spouse, if filing)
United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK
Case number _____
(If known)

Check if this is:

- ☐ An amended filing
☐ A supplement showing postpetition chapter 13 income as of the following date:

MM / DD / YYYY

Official Form 106I

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

1. Fill in your employment information.

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies.

Employment status

- ☒ Employed
☐ Not employed

Occupation

Management

Employer's name

Worthy Inc.

Employer's address

25 W 11th Street
New York, NY 10036-4602

Debtor 2 or non-filing spouse

- ☐ Employed
☒ Not employed

Retired (receives pension)

How long employed there? 5 Year(s) 0 Month(s)

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.

Estimate and list monthly overtime pay.

Calculate gross income. Add line 2 + line 3.

For Debtor 1

For Debtor 2 or non-filing spouse

2. \$ 18,332.17 \$ 0.00

3. +\$ 0.00 +\$ 0.00

4. \$ 18,332.17 \$ 0.00

Debtor 1 Roy L. Albers

Case number (if known) _____

	For Debtor 1	For Debtor 2 or non-filing spouse
Copy line 4 here	4. \$ 18,332.17	\$ 0.00
5. List all payroll deductions:		
5a. Tax, Medicare, and Social Security deductions	5a. \$ 5,637.67	\$ 0.00
5b. Mandatory contributions for retirement plans	5b. \$ 0.00	\$ 0.00
5c. Voluntary contributions for retirement plans	5c. \$ 2,565.33	\$ 0.00
5d. Required repayments of retirement fund loans	5d. \$ 216.67	\$ 0.00
5e. Insurance	5e. \$ 578.50	\$ 0.00
5f. Domestic support obligations	5f. \$ 0.00	\$ 0.00
5g. Union dues	5g. \$ 0.00	\$ 0.00
5h. Other deductions. Specify: _____	5h. \$ 0.00	\$ 0.00
6. Add the payroll deductions. Add lines 5a+5b+5c+5d+5e+5f+5g+5h.	6. \$ 8,998.17	\$ 0.00
7. Calculate total monthly take-home pay. Subtract line 6 from line 4.	7. \$ 9,334.00	\$ 0.00
8. List all other income regularly received:		
8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income.	8a. \$ 0.00	\$ 0.00
8b. Interest and dividends	8b. \$ 0.00	\$ 0.00
8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement.	8c. \$ 0.00	\$ 0.00
8d. Unemployment compensation	8d. \$ 0.00	\$ 0.00
8e. Social Security	8e. \$ 0.00	\$ 0.00
8f. Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: _____	8f. \$ 0.00	\$ 0.00
8g. Pension or retirement income	8g. \$ 0.00	\$ 9,698.88
8h. Other monthly income. Specify: _____	8h. \$ 0.00	\$ 0.00
9. Add all other income. Add lines 8a+8b+8c+8d+8e+8f+8g+8h.	9. \$ 0.00	\$ 9,698.88
10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse.	10. \$ 9,334.00	\$ 9,698.88 = \$ 19,032.88
11. State all other regular contributions to the expenses that you list in Schedule J. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J. Specify: _____		
	11. +\$	0.00
12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the <i>Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data</i> , if it applies	12. \$	19,032.88
13. Do you expect an increase or decrease within the year after you file this form? <input checked="" type="checkbox"/> No. <input type="checkbox"/> Yes. Explain: _____		

Combined monthly income

Fill in this information to identify your case:

Debtor 1 Roy L. Albers

Debtor 2 _____
(Spouse, if filing)

United States Bankruptcy Court for the: SOUTHERN DISTRICT OF NEW YORK

Case number _____
(If known)

Check if this is:

- ☐ An amended filing
- ☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Is this a joint case?

☒ No. Go to line 2.☐ Yes. Does Debtor 2 live in a separate household?☐ No☐ Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household of Debtor 2*.2. Do you have dependents? ☐ No

Do not list Debtor 1 and Debtor 2.

Do not state the dependents names.

☒ Yes. Fill out this information for each dependent.....

Dependent's relationship to Debtor 1 or Debtor 2

Dependent's age

Does dependent live with you?

son23☐ No☒ YesDaughter23☐ No☒ YesDaughter19☐ No☒ Yes☐ No☐ Yes

3. Do your expenses include expenses of people other than yourself and your dependents?

☒ No
☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I).

Your expenses

4. The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.

4. \$ 9,658.78

If not included in line 4:

4a. Real estate taxes

4a. \$ 0.00

4b. Property, homeowner's, or renter's insurance

4b. \$ 0.00

4c. Home maintenance, repair, and upkeep expenses

4c. \$ 0.00

4d. Homeowner's association or condominium dues

4d. \$ 0.00

5. Additional mortgage payments for your residence, such as home equity loans

5. \$ 0.00

6. Utilities:

6a. Electricity, heat, natural gas

6a. \$ 500.00

6b. Water, sewer, garbage collection

6b. \$ 150.00

6c. Telephone, cell phone, Internet, satellite, and cable services

6c. \$ 500.00

6d. Other. Specify: _____

6d. \$ 0.00

Debtor 1 Roy L. Albers

Case number (if known) _____

7. Food and housekeeping supplies	7. \$	1,200.00
8. Childcare and children's education costs	8. \$	0.00
9. Clothing, laundry, and dry cleaning	9. \$	350.00
10. Personal care products and services	10. \$	200.00
11. Medical and dental expenses	11. \$	250.00
12. Transportation. Include gas, maintenance, bus or train fare. Do not include car payments.	12. \$	425.00
13. Entertainment, clubs, recreation, newspapers, magazines, and books	13. \$	50.00
14. Charitable contributions and religious donations	14. \$	30.00
15. Insurance. Do not include insurance deducted from your pay or included in lines 4 or 20.		
15a. Life insurance	15a. \$	760.00
15b. Health insurance	15b. \$	0.00
15c. Vehicle insurance	15c. \$	1,774.00
15d. Other insurance. Specify: _____	15d. \$	0.00
16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20. Specify: _____	16. \$	0.00
17. Installment or lease payments:		
17a. Car payments for Vehicle 1	17a. \$	700.00
17b. Car payments for Vehicle 2	17b. \$	330.00
17c. Other. Specify: _____	17c. \$	0.00
17d. Other. Specify: _____	17d. \$	0.00
18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, <i>Schedule I, Your Income</i> (Official Form 106I).	18. \$	0.00
19. Other payments you make to support others who do not live with you. Specify: _____	\$	0.00
20. Other real property expenses not included in lines 4 or 5 of this form or on <i>Schedule I: Your Income</i> .		
20a. Mortgages on other property	20a. \$	0.00
20b. Real estate taxes	20b. \$	0.00
20c. Property, homeowner's, or renter's insurance	20c. \$	0.00
20d. Maintenance, repair, and upkeep expenses	20d. \$	0.00
20e. Homeowner's association or condominium dues	20e. \$	0.00
21. Other: Specify: <u>Pet expenses</u>	21. +\$	100.00
22. Calculate your monthly expenses		
22a. Add lines 4 through 21.	\$	16,977.78
22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2	\$	
22c. Add line 22a and 22b. The result is your monthly expenses.	\$	16,977.78
23. Calculate your monthly net income.		
23a. Copy line 12 (your combined monthly income) from Schedule I.	23a. \$	19,032.88
23b. Copy your monthly expenses from line 22c above.	23b. -\$	16,977.78
23c. Subtract your monthly expenses from your monthly income. The result is your <i>monthly net income</i> .	23c. \$	2,055.10
24. Do you expect an increase or decrease in your expenses within the year after you file this form? For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?		
<input checked="" type="checkbox"/> No.		
<input type="checkbox"/> Yes.	Explain here: _____	